ITEM

Application Reference	**DC/076377**
Location:	Wrenbury Buxton Road Hazel Grove Stockport SK7 6NG
PROPOSAL:	Two storey side extension, single storey rear extension and front porch. Dropped kerb to rear of the site
Type Of Application:	Householder
Registration Date:	11.05.2020
Expiry Date:	10.10.2020
Case Officer:	Anthony Smith
Applicant:	Mr Malcolm Chappell
Agent:	Mr P Kirk

COMMITTEE STATUS

Should the Marple Area Committee be minded to grant permission under the Delegation Agreement the application should be referred to the Planning & Highways Regulations Committee as the application relates to a Departure from the Statutory Development Plan.

DESCRIPTION OF DEVELOPMENT

The application seeks planning permission for a two storey side extension, single storey rear extension and a front porch/canopy. Permission is also sought for a dropped kerb to the rear of the site.

The proposed two storey side extension would begin level with the front elevation. It would project out 3.15m and would leave a gap of 4.2m to the western side boundary. The gap does reduce towards the rear extension to 3.6m due to a slanting boundary. The extension would finish level with the rear elevation of the existing house. The overall height would be 8m with a subservient hipped roof.

The proposed single storey rear extension would begin on the common boundary with the adjoining property to the east (Ellesmere) and project out 2.3m. The extension would be erected across the complete rear elevation (including the proposed side extension) and the overall height would be 3.3m with a lean to roof.

A front canopy is proposed that would project out 1.2m from the front elevation. It would be erected across the complete front elevation with a height of 3.3m.

A dropped kerb 3.4m in width is proposed to the rear of the site (accessed from Wellington Road).

SITE AND SURROUNDINGS

The applicants property is a semi-detached inter war dwelling. The site is located with the Green Belt. The front elevation is rendered with a white finish. Other parts of the dwelling are red brickwork with red roof tiles. To the rear elevation is an original outrigger. The site has several small shed type outbuildings in the rear garden.

To the north of the property is 2 Wellington Road, a detached bungalow.

To the east of the property is the adjoining property of “Ellesmere” which is the same age and design as the applicant’s property.

To the south of the site is the A6 highway and dwellings on the southern side of the A6.

To the west of the site is Wellington Road, a small lane leading to a riding school. Further to the west is a horse paddock.

POLICY BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications/appeals to be determined in accordance with the Statutory Development Plan unless material considerations indicate otherwise.

The Statutory Development Plan includes:-

- Policies set out in the Stockport Unitary Development Plan Review May 2006 (SUDP) which have been saved by direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004:

  GBA1.2: CONTROL OF DEVELOPMENT IN GREEN BELT
  GBA1.5: RESIDENTIAL DEVELOPMENT IN GREEN BELT
  CDH1.8: RESIDENTIAL EXTENSIONS

- Policies set out in the Stockport Local Development Framework Core Strategy Development Plan Document (CS) adopted 17th March 2011.

  SD-2: MAKING IMPROVEMENTS TO EXISTING DWELLINGS
  SIE-1: QUALITY PLACES

N.B. Due weight should be given to relevant SUDP and CS policies according to their degree of consistency with the National Planning Policy Framework ('NPPF') issued on 27th March 2012 (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given); and how the policies are expected to be applied is outlined within the Planning Practice Guidance ('PPG') launched on 6th March 2014.

National Planning Policy Framework Conformity

The Planning Advisory Services' National Planning Policy Framework Compatibility Self-Assessment Checklist has been undertaken on Stockport's adopted Core Strategy. This document assesses the conformity of Stockport's adopted Core Strategy with the more recently published NPPF and takes account of saved policies from the Unitary Development Plan where applicable. No significant differences were identified.

Supplementary Planning Guidance

Supplementary Planning Guidance does not form part of the Statutory Development Plan; nevertheless, it does provide non-statutory Council approved guidance that is a material consideration when determining planning applications.

'Extensions and Alterations to Dwellings' Supplementary Planning Document (adopted in February 2011) states that the issue of design is a highly important factor when the Council assessed proposals for extensions and alterations to a dwelling. The Council require all development to be designed to a high standard in order that it makes a positive contribution to the provision of an attractive built environment.

National Planning Policy Framework

A Revised National Planning Policy Framework (NPPF) issued by the Secretary of State for Housing, Communities and Local Government (MHCLG) on 19th February 2019 replaced the previous NPPF (originally issued 2012 & revised 2018). The NPPF has not altered the fundamental legal requirement under Section 38(6) of the Planning and Compulsory Purchase Act 2004 that decisions must be made in accordance with the Development Plan unless material considerations (such as the NPPF) indicate otherwise.

The NPPF representing the governments up-to-date planning policy which should be taken into account in dealing with applications focuses on achieving a lasting housing reform, facilitating the delivery of a greater number of homes, ensuring that we get planning for the right homes built in the right places of the right quality at the same time as protecting our environment. If decision takers choose not to follow the NPPF, then clear and convincing reasons for doing so are needed.

N.B. In respect of decision-taking the revised NPPF constitutes a "material consideration".

Para.1 *"The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied".*

Para.2 "*Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise".*

Para.7 "*The purpose of the planning system is to contribute to the achievement of sustainable development".*

Para.8 "*Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*

a) an economic objective
b) a social objective
c) an environmental objective"

Para.11 "*Plans and decisions should apply a presumption in favour of sustainable development.*

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

> *i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
>
> *ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole".*

Para.12 "*…...Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed".*

Para.38 "*Local planning authorities should approach decisions on proposed development in a positive and creative way…... Decision-makers at every level should seek to approve applications for sustainable development where possible".*

Para.47 "*Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing".*

Para.124 "*The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities".*

Para.130 *"Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it*

functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development".

Para.133 "*The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence".*

Para.143 *"Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances".*

Para.144 *"When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. "Very special circumstances" will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations".*

Para.145 *"A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*

c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces".

Para.153 states *"In determining planning applications, local planning authorities should expect new development to:*

a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and

b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption".

Para.213 "*existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)".*

Planning Practice Guidance

The Planning Practice Guidance (NPPG) is a web-based resource which brings together planning guidance on various topics into one place (launched in March 2014) and coincided with the cancelling of the majority of Government Circulars which had previously given guidance on many aspects of planning.

PLANNING HISTORY

DC/076058- Erection of a detached garage and boundary treatment- Refused on 16th April 2020. The applicant failed to submit satisfactory "Very Special Circumstances" necessary to justify a new outbuilding within the Green Belt.

DC/076449- Lawful Development Certificate for a detached garage. Application approved on 16/06/2020.

NEIGHBOURS VIEWS

The owners/occupiers of five surrounding properties were notified in writing of the application. The neighbour notification period expired on the 6th June 2020. The application was also advertised by a site notice (Expiry 5th June 2020) and a press notice.

No letters of representation have been received regarding the application.

CONSULTEE RESPONSES

Highway Engineer

I write with reference to the revised plans listed below which have been submitted with the aim of addressing the issues raised in my consultation response of the 10th June 2020.

P100 'Location' (01/07/2020)
P101 'Plans and Elevations (01/07/2020)

A review of these plans concludes that they show proposals to relocate the access that will serve the rear parking area to the position which was recommended. The plan, however, does not show visibility splays being provided at the access, how any visibility splays would be formed or exactly how the existing access would be closed (although the plan shows, what appears to be, a new site boundary, it is noted that this does not form part of the planning application). The provision of visibility splays and the closure of the existing access could, however, be dealt with by condition.

As such, I raise no objection to this application, subject to conditions.

Recommendation: No objection, subject to conditions

<u>Conditions</u>

No work shall take place in respect to the construction of the approved replacement site access that will serve the replacement parking area / driveway to the rear of the site until a detailed drawing of the access, which shall include:

1) Details of proposals to provide 1m by 1m pedestrian visibility splays at either side of the access
2) Details of proposals to provide vehicular visibility splays of 2.0m by 14.0m to the north and 2.0m by 17.0m to the south (including how the boundary treatment will be altered to enable the splays to be provided)
3) Details of proposals to provide a verge crossing

has been submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied / the approved access shall not be brought into use until the access has been constructed in accordance with the approved drawing and is/are available for use. No structure, object, plant or tree exceeding 600mm in height shall subsequently be erected or allowed to grow to a height in excess of 600mm within the pedestrian visibility splays. No structure, object, plant or tree exceeding 1000mm in height shall subsequently be erected or allowed to grow to a height in excess of 1000mm within the vehicular visibility splays.

Reason

In order that the site will benefit from safe and practical access arrangements in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

Condition

A detailed drawing outlining a scheme to permanently close the site's existing access on Wellington Road, which shall include details of:

1) The boundary treatment
2) Proposals to remove the verge crossing and reinstate the verge

shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied / the approved replacement access shall not be brought into use until the existing access has been closed in accordance with the approved drawing.

Reason

In order to remove the existing redundant / unsafe access/s, ensure that the development can be accessed in a safe manner and ensure the safety of highway users in accordance with Policies SIE-1 'Quality Places', CS9 'Transport and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

Condition

Any gates, barrier, or similar form of obstruction, to be erected across the approved replacement access on Wellington Road shall be set back a minimum of 1m from carriageway and shall be constructed to only open into the site. No bollard, chain or other means of obstruction shall be placed / erected between any gates / barrier and the highway at any time.

Reason

In order to ensure that vehicles can pull off the highway before reaching the any gates / barrier and that any gates / barrier do not impinge on the adjacent footway when open or impair visibility at the access in terms of in terms of Policies SIE-1 'Quality Places', CS9 'Transport

and Development' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD.

Condition

The approved development shall not be occupied until the approved replacement parking area / driveway has been provided in accordance with the approved drawings, hard surfaced (in tarmac, block paving or other non-loose material), drained (to a soakaway / SuDS system) and is available for use. The parking area / driveway shall thereafter be kept clear and remain available for parking of vehicles for the development.

Reason

To ensure that adequate parking facilities are provided and that they are appropriately located and are of a safe and practical design, in accordance with Policies SD-6 'Adapting to the impacts of climate change', SIE-1 'Quality Places', T-1 Transport and Development', T-2 'Parking in Developments' and T-3 'Safety and Capacity on the Highway Network' of the Stockport Core Strategy DPD, supported by Chapter 10, 'Parking', of the SMBC 'Sustainable Transport' SPD.

Informatives

It should be noted that this planning approval does not grant approval for the erection of a new / replacement boundary treatment. The erection of any boundary treatment (other than that which is permitted as permitted development under The Town and Country Planning (General Permitted Development) (England) Order 2015 will require planning permission. Conditions relating to the site's access arrangements will, however, require amendments to the site's existing boundary treatment. Details relating to this will need to be agreed as part of a discharge of conditions application.

A condition/s of this planning consent requires the submission of detailed drawings / additional information relating to the access arrangements / parking / works within the highway. Advice on the discharge of highways related planning conditions is available within the 'Highways and Transport Advice' section of the planning pages of the Council's web-site (www.stockport.gov.uk). The applicant is advised to study this advice prior to preparing and submitting detailed drawings / the required additional information.

ANALYSIS

Residential Amenity

The side elevation of 2 Wellington Road does not appear to contain any principal habitable room windows. There is a single storey side/rear extension on the property. The proposed extensions would be adequately separated from the principal habitable room windows present on the front and rear elevations of 2 Wellington Road.

The proposed single storey rear extension would not project more than 3m along the common boundary with Ellesmere, which is in full compliance with the guideline for extensions in such locations as found in the SPD. The impact upon this property would be acceptable.

The proposed front canopy would also be adequately separated from principal habitable room windows to ensure no undue loss of amenity to any neighbouring property.

In view of the above, it is considered that the proposal would not unduly impact on the residential amenity of the surrounding properties in accordance with UDP policy CDH1.8 and Core Strategy policy SIE-1.

Design

The design of the proposed extensions is judged to be acceptable. The two storey side extension and single storey rear extension would respect the architecture of the existing dwelling and the wider locality.

The roof forms to both extensions would be respectful of the host dwelling. The proposed front canopy would also be respectful of the host dwelling and the wider streetscene.

The applicant has also confirmed the materials will match those of the existing dwelling.

In view of the above, it is considered that the proposal would respect the design, scale, materials, character, appearance and proportions of the existing dwelling and would also respect the character of the street scene, the visual amenity of the area, in accordance with UDP policy CDH1.8 and Core Strategy policy SIE-1.

Green Belt

Saved UDP Policy GBA1.2 states that there is a presumption against the construction of new buildings within the Green Belt unless it is for certain purposes, including limited extension and alterations to existing dwellings.

Saved UDP policy GBA1.5 states that proposals relating to existing residential uses may be permitted in certain cases, including alterations and extensions where the scale, character and appearance of the property would not be significantly changed.

The interpretation of significant change will vary according to the character of the property but as a general guideline, extensions which increase the volume of the original dwelling by more than about one third are unlikely to be acceptable.

The material test to the acceptability of proposals within the Green Belt is the impact of the siting, size and scale of the proposal on the character and appearance of the dwelling and on the overall openness of the Green Belt.

Original dwelling- 176m3

Proposed dwelling- 299m3

Extensions= 123m3 which equals 69.8% volume of the original house.

In this respect, the volume of the proposed extensions would clearly exceed the one-third increase in volume referenced in policy GBA1.5. The proposal would represent inappropriate development within the Green Belt by virtue of a disproportionate addition.

Where development is considered inappropriate, it should only be granted where 'Very Special Circumstances' exist. The material test to the acceptability of proposals within the Green Belt is the impact of the siting, size and scale of the proposal on the character and appearance of the dwelling and on the overall openness of the Green Belt.

It is considered there are 'Very Special Circumstances' to justify the scheme, the conclusions of which are provided below;

- The property has permitted development rights and provides a fallback position for development. Permitted development rights are intact and represent a realistic fall back positon

  The agent has undertaken an exercise to demonstrate extensions possible under permitted development and they include;

  Single storey rear extension
  Two storey rear extension
  Side dormer
  Rear dormer
  Front porch

  The agent has calculated that volume of the a potential dwelling under permitted development (taking into account the theoretical extensions above) would be 299m3- the same volume figure as proposed for the extensions in this application.

  Furthermore, it would be possible a further outbuilding that would add further volume.

- There would be adequate levels of separation between the proposed extensions and the neighbouring properties. The property is also located in a very spacious plot with good levels of separation on all sides.

- The property is also located in ribbon development, it is not an isolated dwelling.

- The proposed extension does not harm the openness of the green belt due to the above factors.

The property benefits from full permitted development rights for the erection of extensions/outbuildings. Therefore sizeable extensions could be constructed without any control from the Local Planning Authority, to front elevation, rear elevation and the roof space,

The possible schemes under permitted development are comparable to what is proposed in the sense they are two storey and single storey extensions. However, it is considered they would not demonstrate good design and would appear as awkward additions to the dwelling/site and could have flat roofs.

The proposed scheme in this planning application is the preferred option as it does demonstrate acceptable design and would not be an incongruous addition to the streetscene, nor it would unduly impact the openness of the green belt.

The Local Planning Authority should take this opportunity to grant planning permission for what is a relatively small development and place a condition on the decision notice removing any further permitted development (involving extensions) in the future.

Larger extensions albeit of a concentrated form can sometimes be accommodated whilst avoiding harm to the overall openness of the Green Belt. In this instance the resulting development is of a concentrated form and sited to the side and rear elevations which overall, would be sympathetic to the character of the area. Should planning permission be granted, a condition would be placed on the permission removing all permitted development rights associated with extensions to the dwelling.

Summary- 'Sustainable Development'

Overall the proposal is in compliance with adopted planning policy and guidance.

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through decision-taking. Paragraph 7 of the NPPF establishes three dimensions to sustainable development – economic, social and environmental and Paragraph 8 indicates that these should be sought jointly and simultaneously through the planning system.

In this instance there are several benefits that weigh in support of the proposal, in particular acceptable design, impact upon residential amenity and the submission of an energy checklist.

The proposal would not unduly impact on the residential amenity of the surrounding properties or prejudice a similar development by a neighbour, in accordance with UDP policy CDH1.8 and Core Strategy policy SIE-1.

The general design of the proposed development is considered acceptable in terms of its relationship to the existing dwelling, the character of the street scene and the visual amenity of the area in accordance with UDP policy CDH1.8 and Core Strategy policy SIE-1.

The council's Highway Engineer has confirmed the proposed dropped kerb would not unduly harm users of the Highway Network.

Other material considerations such as the Extensions and Alterations to Dwellings SPD and the revised NPPF have also been considered and it is judged the proposal also complies with the content of these documents.

Whilst the proposal constitutes inappropriate development it would have only limited harm to the openness of the Green Belt and the case for 'Very Special Circumstances' is sufficient to outweigh harm by reason of inappropriateness. On balance the proposal amounts to Sustainable Development, consequently it is recommended that permission be granted subject to appropriate planning conditions.

Conclusion

In considering the planning merits against the NPPF as a whole the proposal represents sustainable development; Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the application be granted subject to conditional control.

Recommendation

Grant- with conditions (materials to match existing dwelling and removal of permitted development for future extensions)

Marple Area Committee (30/09/2020)

The Planning Officer introduced the application and highlighted the pertinent issues of the proposal.

Members sought clarification as to recommended conditions to be imposed and with regard to proposed visibility splays, which was provided by the Planning Officer.

The applicant spoke in support of the proposal. The Planning Case Officer was commended for their assistance in the process. It was noted that the property has been owned by the family for 30 years and the proposed development would be as a family home. There was however a requirement for renovations and modernisation which was proposed to be in keeping with the area.

There were no requests to speak in objection to the proposal.

Members debated the proposal. Whilst no issues were raised to the submitted scheme, Members raised concern that this was another scheme that exceeded the 'one-third' extension limitation within the Green Belt and it was felt that legislation had to be changed.

Following the debate, Members resolved to refer the application to the Planning and Highways Regulation Committee with a recommendation to grant.